

HOUSE BILL 2302

By Bell

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3; Title 47, Chapter 18, Part 1; Title 62, Chapter 5 and Title 68, Chapter 30, relative to organ procurement.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-30-110(b), is amended by deleting the first sentence in its entirety and substituting instead the following:

The person making the request for donation, after consultation with the attending physician or designee, shall be a member of the hospital staff trained or designated by the organ procurement agency as a qualified requestor, or, in the case of eye-only donation, an organ procurement representative or a member of the eye bank or hospital staff trained or designated by the organ procurement agency as a qualified requestor.

SECTION 2. Tennessee Code Annotated, Section 68-30-110, is amended by adding the following as new, appropriately designated subsection:

( ) Prior to making the request for donation as provided in subsection (b), the hospital shall require the organ procurement agency to complete a tissue and organ request form stating, with specificity, the type and amount of tissue and organs to be removed from the patient, and shall transmit a copy of the completed form, by certified mail, to a member of the patient's immediate family or to the patient's designee. The actual amount of tissue and organs removed from the patient shall not exceed the amount agreed to by the hospital and family member or designee pursuant to subsection (b), and the amount stated in the request form. All completed request forms shall be prepared by and maintained in the hospital records department.

SECTION 3. Tennessee Code Annotated, Section 47-18-104(b), is amended by adding the following as a new, appropriately designated subdivision:

( ) Failing to adhere to the requirements for tissue and organ procurement  
in accordance with § 68-30-110.

SECTION 4. This act shall take effect July 1, 2007, the public welfare requiring it.